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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/696,830

10/30/2003

Marwan A. Fathallah

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1880

41155 7590 06/08/2010

BRIAN R. WOODWORTH

275 N. FIELD DRIVE

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LAKE FOREST, IL 60045-2579

EXAMINER

LANDRY II, GERALD ERNEST

ART UNIT

PAPER NUMBER

3763

MAIL DATE

DELIVERY MODE

06/08/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/696,830	Applicant(s) FATHALLAH ET AL.	
	Examiner GERALD LANDRY II	Art Unit 3763	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-7, 13-20 and 75-77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-7, 13, 15-20 and 75-77 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 4-7, 13, 15-19, and 75-77 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,431,509 to Anderson et al.

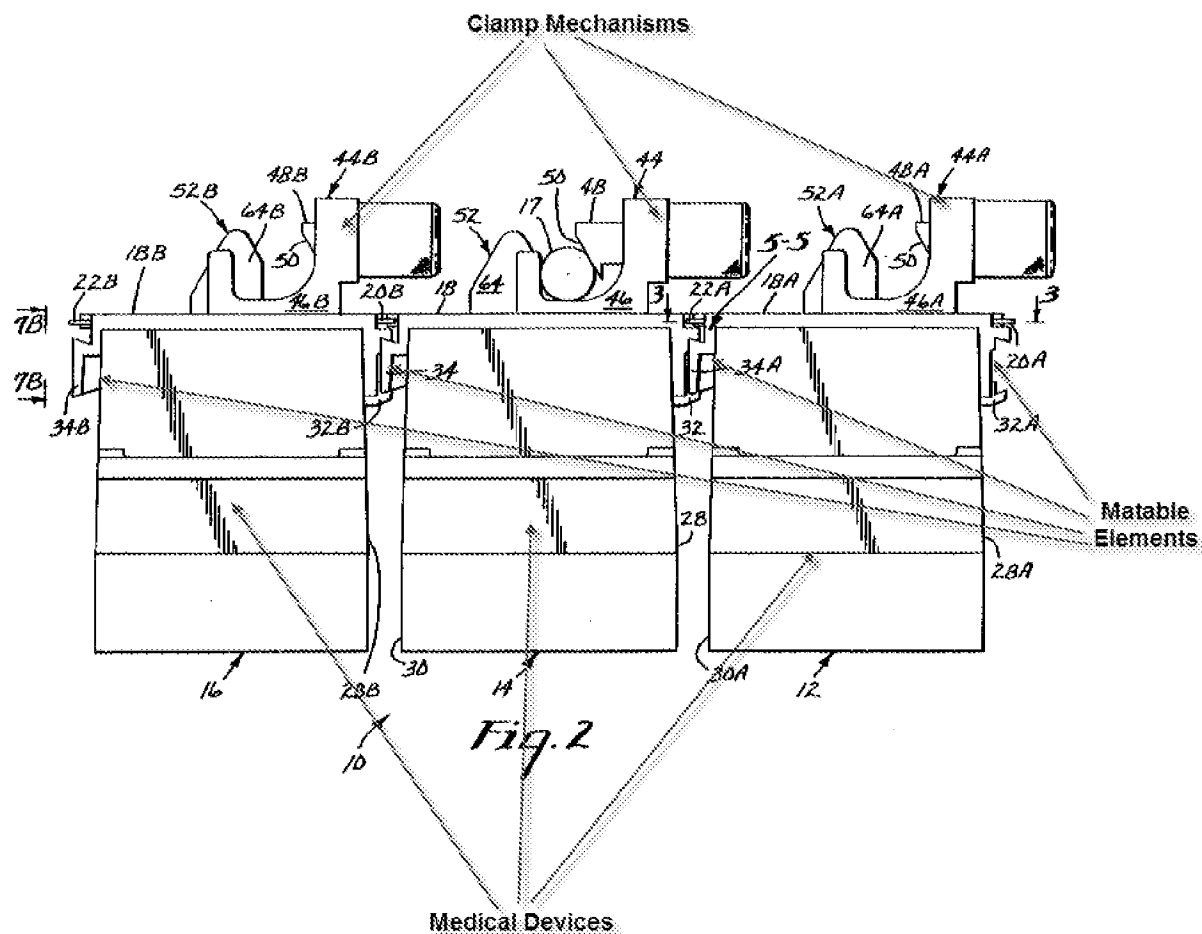
Regarding claims 4-7, 13, 15-19, and 75-77, Anderson teaches a plurality of medical devices including a first medical device and a second medical device; the first medical device including a housing having opposite sides, at least one of the opposite sides including a matable element; the second medical device including a housing having opposite sides, at least one of the opposite sides of the housing of the second medical device including a matable element for detachably interconnecting to the matable element of the first medical device and attaching the first and second medical devices; and wherein at least one of the medical devices includes a selective means for restricting the attachment of the second medical device to only one of the opposite sides of the first medical device housing; wherein the first medical device is provided with two matable elements, one matable element being located on each of the opposite sides of the first medical device housing; wherein the selective means includes a locking element which restricts attachment of the second medical device to the first medical device to only one of the opposite sides of the first medical device once the first medical device is attached to a support

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member; wherein the first medical device includes a clamp mechanism for mounting at least one medical device to a support member; wherein the clamp mechanism has a hole therein for slidably receiving the locking element, the locking element adapted to apply force on a component of the medical device when the clamp body is affixed to a support member; wherein the clamp mechanism has a slide-ratcheting means for permitting a user to close the clamp mechanism about the support member by application of linear force to the clamp mechanism **(refer to marked-up figure below)**; wherein at least one of the medical devices includes a blocking means **(column 4 lines 9-25 (first position of latching arm))** for preventing a third medical device from attaching to either the first or second medical devices once the first and second medical devices are attached; wherein at least one of the medical devices includes a latch element **(26, 38, also refer to mating elements in marked-up figure below)** which detachably locks the first and second medical devices together once the first and second medical devices are attached; wherein a release element is operatively associated with the latch element, the release element permitting a user to selectively disengage the latch element **(refer to marked-up figure below)**; wherein the first medical device includes the latch element, the first medical device is provided with two matable elements where one matable element is located on each of the opposite sides of the first medical device housing, and wherein the latch element extends from the first medical device housing side that is not adjacent the attached second medical device and is secured in a position which prevents a third medical device from being added to the first medical device once the first and second medical devices are attached **(refer to marked-up figure below)**; wherein the matable element on the first medical device includes a ramped portion allowing the matable element on the first medical device to mate with the matable

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element on the second medical device when the matable elements are not precisely aligned (refer to marked-up figure below); wherein the matable element on the second medical device includes a tapered portion allowing the matable element on the first medical device to mate therewith when the matable elements are not precisely aligned (refer to marked-up figure below); wherein the matable elements are corresponding male T-slides and female T-slots (refer to marked-up figure below).



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Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,431,509 to Anderson et al. in view of U.S. Patent No. 5,713,856 to Eggers.

Regarding claim 20, Anderson teaches all of the limitations of claim 13 (**see above**). Anderson however, does not explicitly teach the inclusion of a transceiver. Eggers teaches a transceiver device (**Eggers: abstract: ...interface unit... transfer of information such as drug libraries, system configuration values...**). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Anderson with the transceiver device of Eggers with the motivation of allowing the device of Anderson to transfer information.

Response to Arguments

4. Applicant's arguments filed 05/07/2010 have been fully considered but they are not persuasive.

Regarding the Applicant's arguments with respect to the prior art reference of Anderson, the Examiner contends that Anderson does teach a blocking means and that Anderson explicitly discloses this. Column 4 lines 22-24 state: "... wherein the latching arm blocks the slide

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connection from having a slide connection of a similar module mounted thereon...". Within the scope of the claims the Examiner asserts that this rejection is proper.

5. Applicant's arguments with respect to claim 20 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

6. Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERALD LANDRY II whose telephone number is (571)270-7409. The examiner can normally be reached on M-F, 7:30 am - 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/GEL/

Examiner, Art Unit 3763

/Nicholas D Lucchesi/

Supervisory Patent Examiner, Art Unit 3763